

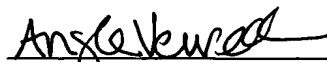
REMARKS

The Office Action dated April 21, 2006 requires restriction to one of two inventions alleged to be claimed. In response, Applicants hereby elect Group I, encompassing claims 42-49. However, this election is made with traverse because the proposed restriction requirement is unduly limiting and lacks adequate basis. Without comment to the possible existence of multiple independent and/or distinct inventions, Applicants note that MPEP § 803 states that even if two or more claim groupings are independent or distinct as claimed, there must also be a serious burden on the examiner to require restriction. If search and examination of the entire application can be made without serious burden, the examiner must examine the entire application. *See* MPEP §803. There is no evidence of record demonstrating that searching between various groups would present a serious burden. Accordingly, the proposed restriction is improper.

The Office Action asserts that the claims of Group I are directed to patentably distinct species, and requires that Applicants elect a single species from the recited formula A₁-A₇ of the claimed inventions pursuant to 35 U.S.C. § 121. Although Applicants believe that the restriction requirement and, hence, the request for species election are improper for the reasons stated above, Applicants provisionally elect for search purposes glucose-C6-amine vancomycin with traverse. This species is covered, *inter alia*, by example 27.

Applicants respectfully submit that the claims presently before the Examiner are in condition for allowance. If the Examiner has any questions, she is invited to contact the undersigned at the telephone number provided below.

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Angela Verrecchio
Registration No. 54,510

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439